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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: WARNER MUSIC GROUP
CORP. DIGITAL DOWNLOADS
LITIGATION

CASE NO. 12-CV-0559-RS

**JOINT STIPULATION AND [PROPOSED]
ORDER TO CONTINUE FINAL
APPROVAL MOTION FILING DATE AND
HEARING DATE**

Judge: Hon. Richard Seeborg

1 Kathy Sledge Lightfoot, Ronee Blakley and Gary Wright (“Plaintiffs”), on behalf
 2 of themselves and the Settlement Class, and Defendant Warner Music Group (“Defendant” or
 3 “WMG”) (referred to collectively herein with Plaintiffs as the “Parties”), by and through their
 4 attorneys, hereby stipulate as follows:

5 WHEREAS, on January 23, 2014 the Court preliminarily approved the settlement
 6 of this matter on a class-wide basis (the “Preliminary Approval Order”);

7 WHEREAS, pursuant to the Preliminary Approval Order, putative class members
 8 had until May 31, 2014 to submit their claim forms in order to receive benefits from the
 9 settlement;

10 WHEREAS, WMG began processing the claim forms on a rolling basis beginning
 11 in April 2014;

12 WHEREAS, the procedure for processing the claim forms is a very time-
 13 consuming process that includes the following:

- 14 ◆ Identification of all contracts relating to the artist submitting the claim form
 15 within WMG’s extensive contract database holding hundreds of thousands of
 16 contracts, which research often results in the identification of dozens of
 17 agreements and amendments for each claimant;
- 18 ◆ Mailing of a cure letter if the artist has provided insufficient information to
 19 determine whether there are any contracts for the claimant in WMG’s files;
- 20 ◆ Review of the contracts identified to determine whether all signatories to the
 21 relevant contracts have submitted a claim form;
- 22 ◆ Mailing of a cure letter if all of the artist signatories have not filed claim forms;
- 23 ◆ Review of the contracts identified and additional WMG information to
 24 determine whether the claimant is a party to one or more Class Contracts as
 25 defined by the Parties’ settlement agreement and entitled to relief under the
 26 settlement, including:
 - 27 ➤ Review to determine whether one or more of the artists’ contracts are
 28 dated prior to January 1, 2002;

1 ➤ Review to determine whether each contract dated prior to January 1, 2002
2 is a royalty rate contract and does not provide for some other compensation
3 structure;
4 ➤ Review of WMG information outside of the contracts dated prior to
5 January 1, 2002 to determine whether the claimant has previously settled
6 with WMG the issue of the payment of royalties on downloads and
7 mastertones;

8 WHEREAS, WMG has received approximately 2,000 claim forms that require
9 processing;

10 WHEREAS, over half of the claim forms were received during the last week of
11 May or after May 31, 2014;

12 WHEREAS, WMG currently has five full time claims processors and five part
13 time claims processors working on this project;

14 WHEREAS, to date WMG has been able to process less than half of the claims
15 and will not be able to process all of the claims in order to provide adequate information about the
16 claimants and their relief in time for the filing of the motion for final approval of the settlement,
17 which is currently set for August 28, 2014 pursuant to the Preliminary Approval Order with the
18 Fairness Hearing set for October 2, 2014;

19 WHEREAS, the Parties have met and conferred and agree that it is important to be
20 able to complete the claims processing procedure before the filing of the motion for final approval
21 of the settlement;

22 WHEREAS, in order to ensure that the claims processing procedure is completed
23 prior to the filing of the motion for final approval, Plaintiffs and Defendant have agreed, subject
24 to the approval of the court, to a ninety (90) day continuance of the deadline to file the motion for
25 final approval of the settlement and of the date for the Fairness Hearing; and

26 WHEREAS, the Preliminary Approval Order specifically states that "the hearing
27 date or time of for the Fairness Hearing may be moved *sua sponte* by the Court or pursuant to a
28 stipulation by the parties subject to Court approval without providing additional notice to Class

1 Members" (Preliminary Approval Order, ¶ 18).

2 Therefore, **IT IS HEREBY STIPULATED AND AGREED**, subject to approval
3 of the Court, that the time for Plaintiffs to file their motion for final approval of the Settlement
4 Agreement currently set for August 28, 2014 be continued to November 26, 2014. It is further
5 stipulated and agreed that the Fairness Hearing currently scheduled for October 2, 2014 be
6 continued to January 8, 2015, the first Court hearing day after the passage of 90 days.

7 Respectfully submitted,

8 PEARSON, SIMON & WARSHAW, LLP

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10 By: /s/ Daniel L. Warshaw
11 DANIEL L. WARSHAW

12 *Interim Lead Counsel Representative for Plaintiffs**
13 MUNGER, TOLLES & OLSON LLP

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15 By: /s/ Tamerlin J. Godley
16 TAMERL J. GODLEY

17 Attorneys for Defendant Warner Music Group Corp.
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* A complete list of the attorneys for Plaintiffs is attached to the Second Consolidated Amended
Complaint.

1 Filer's Attestation

2 I, Tamerlin J. Godley, am the ECF user whose identification and password are being used
3 to file this STIPULATION TO CONTINUE FINAL APPROVAL MOTION FILING DATE
4 AND HEARING DATE. In compliance with General Order 45.X.B, I hereby attest that the
5 counsel listed above concur in this filing.

6 DATED: July 30, 2014

7 /s/ Tamerlin J. Godley
8 TAMERLIN J. GODLEY

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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3 Dated: 7/30/14



4 Honorable Richard Seeborg
United States District Court Judge

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